

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel for Debtors



Order Filed on September 1, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Terry L. Small & Brenda Small

Case No.: 18-10171

Hearing Date: Sept. 1, 2020

Chapter: 13

Judge: Michael B. Kaplan

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: September 1, 2020

A handwritten signature in black ink, reading "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 486 Bramhall Avenue, Jersey City, NJ 07306, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☐ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional:

Amount to be paid:

Services rendered:

OR: ☒ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$_____ claimed as exempt may be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☒ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

rev.8/1/15

In re:
Terry L Small
Brenda Small
Debtors

Case No. 18-10171-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Sep 02, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 04, 2020.

db/jdb +Terry L Small, Brenda Small, 10 Margaret Drive, Dayton, NJ 08810-1327
aty +Nicholas Fitzgerald, Fitzgerald and Associates, 649 Newark Avenue,
Jersey City, NJ 07306-2341

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 04, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 2, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings on behalf of Creditor LoanCare, LLC ajennings@rasflaw.com
Aleisha Candace Jennings on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing
ajennings@rasflaw.com
Andrew L. Spivack on behalf of Creditor CITIMORTGAGE, INC. nj.bkecf@fedphe.com
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
James J. Fitzpatrick on behalf of Debtor Terry L Small nickfitz.law@gmail.com,
nadiafinancial@gmail.com;jfitzpatrick@fitzgeraldcrouchlaw.com;fitz2law@gmail.com
James J. Fitzpatrick on behalf of Joint Debtor Brenda Small nickfitz.law@gmail.com,
nadiafinancial@gmail.com;jfitzpatrick@fitzgeraldcrouchlaw.com;fitz2law@gmail.com
Julie Cascino on behalf of Creditor Nationstar Mortgage LLC jcascino@grosspolowy.com,
ecfnotices@grosspolowy.com
Laura M. Egerman on behalf of Creditor DITECH FINANCIAL LLC bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@rasnj.com
Laura M. Egerman on behalf of Creditor Ditech Financial LLC bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@rasnj.com
Lynn Therese Nolan on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
ecfnotices@grosspolowy.com, lnolan@grosspolowy.com
Lynn Therese Nolan on behalf of Creditor Nationstar Mortgage LLC ecfnotices@grosspolowy.com,
lnolan@grosspolowy.com
Marguerite Mounier-Wells on behalf of Debtor Terry L Small nadiafinancial@gmail.com,
mwells@fitzgeraldcrouchlaw.com;Fitz2Law@gmail.com
Marguerite Mounier-Wells on behalf of Joint Debtor Brenda Small nadiafinancial@gmail.com,
mwells@fitzgeraldcrouchlaw.com;Fitz2Law@gmail.com
Maria D. Ramos-Persaud on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
mramos-persaud@grosspolowy.com, ecfnotices@grosspolowy.com
Nicholas Fitzgerald on behalf of Debtor Terry L Small Fitz2Law@gmail.com
Nicholas Fitzgerald on behalf of Joint Debtor Brenda Small Fitz2Law@gmail.com
Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmlawgroup.com
Robert Davidow on behalf of Creditor CITIMORTGAGE, INC. nj.bkecf@fedphe.com
Rosemarie Diamond on behalf of Loss Mitigation CitiMortgage, Inc. miguel.zavala@fedphe.com
Sindi Mncina on behalf of Creditor LoanCare, LLC smncina@rascrane.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 23